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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,873	07/14/2003	Jerome Azema	TI-34922	8044
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EXAMINER				
GERGISO, TECHANE				
ART UNIT		PAPER NUMBER		
2437				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@ti.com

Office Action Summary

Application No.

10/618,873

Applicant(s)

AZEMA ET AL.

Examiner

TECHANE J. GERGISO

Art Unit

2437

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07/14/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-8, 10-14, 16-19 and 21-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-8, 10-14, 16-19, 21, 22 and 28 is/are rejected.
- 7) ☒ Claim(s) 23-27 and 29-31 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This is a Final Office Action in response to the applicant's communication filed on July 14, 2008.
2. Claims 1-3, 5-8, 10-14, 16-19 and 21-31 have been examined and are pending.

Claim Objections

3. Claims 14 and 19 are objected to because of the following informalities:
Claim 14: line 3; and claim 19: line 3 recite “**reset/boot**”. The notation “/” is ambiguous to define the scope of the claims and the examiner suggests replacing “**reset/boot**” with “**reset or reboot**”.
Appropriate correction is required.

Response to Arguments

4. Applicant's arguments filed on July 14, 2008 have been fully considered but they are not persuasive.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

The applicant argues that “Accordingly, Applicants do not believe that Ylonen adds any teaching which describes configuring the processing device responsive to configuration parameters stored in a certificate to set: the speed of a hardware component of the processing device, access to one or more normally hidden memory locations or the enablement or disablement of a hardware component.

The examiner disagrees with the applicant’s argument and analysis for the following reasons. First accessing and authenticating a certificate bound to the processing device is disclosed by Geiger in “(column 3: lines 14-21; column 4: lines 23-35, lines 59-67; figure 2: 100-102; column 11: lines 46-54; column 16: lines 10-43; lines 59-67; figure 2: 100-102), not by Ylonen. Second, the applicant has amended “access to one or more normally hidden memory location” by replacing “**normally hidden**” and therefore, the claims do not read as the applicant argued by stating “normally hidden”. Third, during examination the claims are given their broadest reasonable interpretation in light of the specification without bringing limitations from the specification into the claims. Accordingly, unlike the applicant’s argument, as the claims currently read, “ configuring the processing device hardware responsive to the configuration parameters to **set one or more of:** a speed of a hardware component of the processing device, access to one or more otherwise memory location, or enablement or disablement of a hardware component“, and “the configuration parameters to **set one or more of:**” is interpreted as alternative to mean any one of the element in list. Therefore, Ylonen is disclosing one of these listed features particularly enablement or disablement of a hardware component recited as follows:

(Ylone : Preferably, a hardware token such as a smart card removable attachable to the network device using the hardware token reader of the network device contains at least the following information: a private key for the network device for authentication purposes, a **certificate or a public key corresponding to the private key, certificate of a management system allowed to control the network device in order to allow the network device to authenticate any messages from the management system.** "As recited above, a hardware token containing a certificate management allowed controlling network device in order to allow the network device to authenticate any message from the management system in essence enabling or disabling the hardware component.

Therefore, for at least the above reasons, the applicant's arguments are not persuasive to overcome the prior arts in record to place the independent claims 1, 6, 12 and 17 in condition for allowance. Dependent claims 2-3, 5, 7-8, 10, 11, 13-14, 16, 18-19, 2-22 and 28 depending directly or indirectly from their corresponding independent claims are also not placed in condition for allowance based on their dependency.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3, 5-8, 10-14, 16-22 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Geiger et al. (hereinafter referred to as Geiger, US Pat No.: 6, 463, 534) in view of Drews (US Pat. No.: 6,647,494) and in further view of Ylonen et al. (hereinafter referred to as Ylonen, US Pat. No.: 7,302,487).

As per claim 1:

Geiger discloses a method of configuring a processing device, comprising the steps of:
accessing a certificate bound to the processing device (column 3: lines 14-21; column 4: lines 23-35, lines 59-67; figure 2: 100-102); and
authenticating the certificate (column 11: lines 46-54; column 16: lines 10-43; lines 59-67; figure 2: 100-102).

Geiger does not explicitly disclose reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters. Drew in analogous art, however, disclose reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters (Abstract; column 2: lines 60-67; column 3: lines 1-6; The configurable parameters set 45 includes an authorization certificate 42. The authorization certificate provides security information that client platform 30 uses to perform integrity checks and authenticate the sources of request messages or work orders that client platform 30 receives). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Geiger to include reading configuration parameters from the certificate, if properly authenticated; configuring the

processing device hardware responsive to the configuration parameters. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so to provide a system and method for checking authorization of remote configuration operations including generating a request credential manifest to request an update of configurable parameters on a client platform as suggested by Drew in (column 1: lines 35-45).

Geiger and Drew do not explicitly disclose set one or more of the speed of a hardware component of the processing device, access to one or more normally hidden memory locations or the enablement or disablement of a hardware component. Ylonen, in analogous art, however, disclose set one or more of the speed of a hardware component of the processing device, access to one or more normally hidden memory locations or the enablement or disablement of a hardware component (Column 17: lines 25-40; Figure 4B; 440; Figure 5: 558;). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Geiger and Drew to include set one or more of the speed of a hardware component of the processing device, access to one or more normally hidden memory locations or the enablement or disablement of a hardware component. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so to provide realize a system for providing security services in a data communications network, which is easy to install and maintain as suggested Ylonen (column 4: lines 25-25).

As per claim 6:

Geiger discloses a processing device comprising:

processing circuitry (figure 1: 11);
a memory coupled to the processing circuitry (figure 4: 452);
wherein the processing circuitry:
accesses a certificate bound to the processing device and stored in the memory (column
3: lines 14-21; column 4: lines 23-35, lines 59-67; lines 59-67; figure 2: 100-102);
and
authenticates the certificate (column 11: lines 46-54; column 16: lines 10-43; lines 59-67;
figure 2: 100-102).

Geiger does not explicitly disclose reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters. Drews in analogous art, however, disclose reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters (Abstract; column 2: lines 60-67; column 3: lines 1-6; The configurable parameters set 45 includes an authorization certificate 42. The authorization certificate provides security information that client platform 30 uses to perform integrity checks and authenticate the sources of request messages or work orders that client platform 30 receives). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Geiger to include reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so to provide a system and method for checking authorization of remote configuration

operations including generating a request credential manifest to request an update of configurable parameters on a client platform as suggested by Drews in (column 1: lines 35-45).

Geiger and Drew do not explicitly disclose set one or more of the speed of a hardware component of the processing device, access to one or more normally hidden memory locations or the enablement or disablement of a hardware component. Ylonen, in analogous art, however, disclose set one or more of the speed of a hardware component of the processing device, access to one or more normally hidden memory locations or the enablement or disablement of a hardware component (Column 17: lines 25-40; Figure 4B; 440; Figure 5: 558;). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Geiger and Drew to include set one or more of the speed of a hardware component of the processing device, access to one or more normally hidden memory locations or the enablement or disablement of a hardware component. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so to provide realize a system for providing security services in a data communications network, which is easy to install and maintain as suggested Ylonen (column 4: lines 25-25).

As per claim 12:

Geiger discloses a method of configuring a processing device, comprising the steps of:
accessing a certificate bound to the processing device (column 3: lines 14-21; column 4:
lines 23-35, lines 59-67; lines 59-67; figure 2: 100-102); and

authenticating the certificate (column 11: lines 46-54; column 16: lines 10-43; lines 59-67; figure 2: 100-102).

Geiger does not explicitly disclose reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters. Drews in analogous art, however, disclose reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters (Abstract; disclosed by Drews in column 2: lines 40-55; column 2: lines 60-67; column 3: lines 1-6; The configurable parameters set 45 includes an authorization certificate 42. The authorization certificate provides security information that client platform 30 uses to perform integrity checks and authenticate the sources of request messages or work orders that client platform 30 receives). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Geiger to include reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so to provide a system and method for checking authorization of remote configuration operations including generating a request credential manifest to request an update of configurable parameters on a client platform as suggested by Drews in (column 1: lines 35-45).

Geiger and Drew do not explicitly disclose set one or more of the speed of a hardware component of the processing device, access to one or more normally hidden memory locations or the enablement or

disablement of a hardware component. Ylonen, in analogous art, however, disclose set one or more of the speed of a hardware component of the processing device, access to one or more normally hidden memory locations or the enablement or disablement of a hardware component (Column 17: lines 25-40; Figure 4B; 440; Figure 5: 558;). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Geiger and Drew to include set one or more of the speed of a hardware component of the processing device, access to one or more normally hidden memory locations or the enablement or disablement of a hardware component. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so to provide realize a system for providing security services in a data communications network, which is easy to install and maintain as suggested Ylonen (column 4: lines 25-25).

As per claim 17:

Geiger discloses a processing device comprising:

processing circuitry (figure 1: 11);

a memory coupled to the processing circuitry (figure 4: 452);

wherein the processing circuitry:

accesses a certificate bound to the processing device and stored in the memory (column 3: lines 14-21; column 4: lines 23-35, lines 59-67; lines 59-67; figure 2: 100-102);

and

authenticates the certificate (column 11: lines 46-54; column 16: lines 10-43; lines 59-67; figure 2: 100-102).

Geiger does not explicitly disclose reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters. Drews in analogous art, however, disclose reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters (Abstract; disclosed by Drews in column 2: lines 40-55; column 2: lines 60-67; column 3: lines 1-6; The configurable parameters set 45 includes an authorization certificate 42. The authorization certificate provides security information that client platform 30 uses to perform integrity checks and authenticate the sources of request messages or work orders that client platform 30 receives). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Geiger to include reading configuration parameters from the certificate, if properly authenticated; configuring the processing device hardware responsive to the configuration parameters. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so to provide a system and method for checking authorization of remote configuration operations including generating a request credential manifest to request an update of configurable parameters on a client platform as suggested by Drews in (column 1: lines 35-45).

Geiger and Drew do not explicitly disclose set one or more of the speed of a hardware component of the processing device, access to one or more normally hidden memory locations or the enablement or disablement of a hardware component. Ylonen, in analogous art, however, disclose set one or more of the speed of a hardware component of the processing device, access to one or more normally hidden memory locations

or the enablement or disablement of a hardware component (Column 17: lines 25-40; Figure 4B; 440; Figure 5: 558). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Geiger and Drew to include set one or more of the speed of a hardware component of the processing device, access to one or more normally hidden memory locations or the enablement or disablement of a hardware component. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so to provide realize a system for providing security services in a data communications network, which is easy to install and maintain as suggested Ylonen (column 4: lines 25-25).

As per claims 2, 7 and 13:

Geiger discloses a method, wherein the steps of accessing the certificate, authenticating the certificate, and reading configuration parameters from the certificate are performed whenever the processing device is initially powered (figure 2: 130; column 6: lines 5-45).

As per claims 3, 8, 14 and 19:

Drews discloses a method and a processing device, wherein the steps of accessing the certificate, authenticating the certificate, and reading configuration parameters from the certificate are repeated upon a system reset/boot (figure 2: 130; column 6: lines 5-45; column 11: lines 26-30).

As per claims 5, 10 and 16:

Geiger discloses a method, wherein the configuring step includes the step of configuring software in the processing device responsive to the configuration parameters (column 10: lines 7-30).

As per claim 11:

Geiger discloses a processing device, wherein the certificate can be created and modified only by the manufacturer of the processing device (column 17: lines 36-48).

As per claim 18:

Geiger discloses a processing device, wherein the processing circuitry accesses the certificate, authenticates the certificate, and reads configuration parameters whenever the processing device is initially powered (figure 2: 130; column 6: lines 5-45).

As per claim 19:

Geiger discloses a processing device, wherein the processing circuitry accesses the certificate, authenticates the certificate, and reads configuration parameters upon a system reset/boot (figure 2: 130; column 6: lines 5-45; column 11: lines 26-30).

As per claim 21:

Geiger discloses a processing device, wherein the processing circuitry configures software in the processing device responsive to the configuration parameters (column 4: lines 23-35; column 10: lines 7-30).

As per claim 22:

Geiger discloses a processing device, wherein the certificate can be created and modified only by the manufacturer of the processing device (column 17: lines 36-48).

As per claim 28:

Ylonen discloses a method, wherein the step of configuring the hardware of the processing device includes the step of selectively enabling or disabling operation of one or more hardware features components (Column 17: lines 25-40; Figure 4B; 440; Figure 5: 558).

Allowable Subject Matter

7. Claims 23-27 and 29-31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims as presented .

The following is a statement of reasons for the indication of allowable subject matter: Claims 23-27 and 29-31 include the following features which are not taught or further suggested and would not have been obvious over prior arts of record and these features are:

Reading **configuration parameters from and stored in an authenticated certificate;** using the parameters; configuring performance characteristics of the hardware in the processing device which includes:

configuring a processor speed of the hardware,

configuring a memory speed for the device;

configuring a bus speed for the device;
restoring performance characteristics to a predetermined setting;
periodic comparison of current performance with performance in the configuration
parameter and restoring the performance characteristics; and
Selectively enabling or disabling networking, audio, or video hardware.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See the notice of reference cited in form PTO-892 for additional prior art.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Techane J. Gergiso whose telephone number is (571) 272-3784 and fax number is (571) 273-3784. The examiner can normally be reached on 9:00am - 6:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/T. J. G./

Examiner, Art Unit 2437

/Emmanuel L. Moise/

Supervisory Patent Examiner, Art Unit 2437